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PATENT
1509-367

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HADDAD et al. Conf.: 3576
Serial No.: 10/647,895 Art Unit: 3617
Filed: November 20, 2002 Examiner: T. Mullen
For: ALERTING USERS TO IMPENDING EVENTS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

September 13, 2004

Sir:

The following is responsive to the Office Action mailed August 19, 2004, requiring Applicants to elect one of the following groups of claims for initial prosecution on the merits in the above-identified application:

Group I, claims 17-24, 48-50, and 66-71, drawn to a method or device for alerting a user of the approach of a vehicle at a selected stop along a route or series of intended stops or arrival events;

Group II, claims 1-16, 27, 28, 31, and 37-47, drawn to a method or software for alerting a user of the expected occurrence of an event by monitoring an event precursor parameter and using a predetermined notice period;

Group III, claims 25, 26, and 51-54, drawn to a system and method for alerting a user of the expected occurrence of an event over a telecommunications link;

Group IV, claims 29, 30, 55, 58-60, and 65, drawn to means including a processor and/or memory and software for generating an output signal representing "advance notice" aspects of an "event";

Group V, claims 61-64, drawn to a method of providing an added-value software application to the device and charging the device for the software; **or**

Group VI, claims 32-36, 56, and 57, drawn to a portable wireless telecommunications device, or the memory device associated therewith, having event notification features enabling the input of data regarding "advanced notice" events.

Applicants hereby elect with traverse Group II, claims 1-16, 27, 28, 31, and 37-47, drawn to a method or software for alerting a user of the expected occurrence of an event by monitoring an event precursor parameter and using a predetermined notice period.

It is respectfully submitted that the invention of Group I, claims 17-24, 48-50, and 66-71, is not separate and distinct from the invention of Group II, claims 1-16, 27, 28, 31, and 37-47. Rather, independent claim 17 is directed to the specific application or embodiment of the principles of claim 1, i.e., alerting a user to the approach of a vehicle. Clearly, there is correspondence between the identifying/monitoring, determining/predicting, and notifying/alerting steps of claims 1 and 17.

Nor would searching and examining the two groups of claims together pose an undue burden on the Examiner. In fact, MPEP 803 requires the examination of such an application on the merits,

even if it includes claims to separate or distinct inventions which, with respect to the claims of Groups I and II, the present application does not.


Based on the foregoing, an action on the merits of claims 1-24, 27, 28, 31, 37-50, and 66-71 is in order.

To the extent necessary during prosecution, Applicants hereby request any required extension of time not otherwise requested and hereby authorizes the Examiner to charge any required fees not otherwise provided for, including application processing, extension of time, and extra claims fees, to Deposit Account No. 07-1337.

Respectfully submitted,

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